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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. CR06-160-JCC
09 Plaintiff,)
10 v.) SUMMARY REPORT OF U.S.
11 JACQUES M. SUTTON,) MAGISTRATE JUDGE AS TO
12 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
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14 An initial hearing on supervised release revocation in this case was scheduled before me
15 on January 14, 2009. The United States was represented by AUSA Andrew D. Friedman and the
16 defendant by Jennifer Wellman. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about November 17, 2006 by the Honorable John C.
18 Coughenour on a charge of Felon in Possession of a Firearm, and sentenced to 30 months custody
19 with credit for time served, 3 years supervised release. (Dkt. 27.)

20 The conditions of supervised release included the standard conditions plus the requirements
21 that defendant participate in a drug program, abstain from alcohol, and submit to search.

22 On August 19, 2008, defendant admitted violating the conditions of supervised release by

01 failing to report to the probation office, failing to notify his probation officer of a change in
02 employment, and failing to notify his probation officer of a change of residence. (Dkt. 35.)

03 On September 17, 2008, defendant admitted violating the conditions of supervised release
04 by committing the crime of Attempting to Elude a Pursuing Police Vehicle. (Dkt. 39.) Defendant
05 was sentenced to 3 months incarceration, 2 months in a halfway house, and 30 months of
06 supervised release. He was also required to participate in inpatient treatment for two months at
07 Pioneer Center North. (Dkt. 43.)

08 In an application dated January 13, 2009 (Dkt. 44), U.S. Probation Officer Thomas J.
09 Fitzgerald alleged the following violation of the conditions of supervised release:

10 1. Failing to participate in inpatient treatment at Pioneer Center North for a period
11 of two months by being terminated from the program on or about January 12, 2009, in violation
12 of his special condition of supervised release.

13 Defendant was advised in full as to the charge and as to his constitutional rights.

14 Defendant admitted the alleged violation and waived any evidentiary hearing as to whether
15 it occurred.

16 I therefore recommend the Court find defendant violated his supervised release as alleged,
17 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be
18 set before Judge Coughenour.

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01 Pending a final determination by the Court, defendant has been detained.

02 DATED this 14th day of January, 2009.

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04 Mary Alice Theiler
05 United States Magistrate Judge

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08 cc: District Judge: Honorable John C. Coughenour
09 AUSA: Andrew C. Friedman
10 Defendant's attorney: Jennifer Wellman
11 Probation officer: Thomas J. Fitzgerald
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